

(3) 3

~~XXXXXXXXXXXXXXXXXXXX~~
BEFORE HON'BLE STATE ADMINISTRATIVE TRIBUNAL BENCH AT

RAIPUR, CHHATTISGARH

(WP/6) 5119/05

Original Application No. 8310 /2002

1. Tej Kumar Pandey,
Son of Shri R.N. Pandey,
Assistant Teacher,
Posted at Primary School, Jinda,
Tehsil and District Kawardha,
(Chhattisgarh)
2. Pawan Kumar Kaushik,
Son of Late Shri Kashi Ram,
Assistant Teacher,
Posted at Primary School, Jinda,
Tehsil and District Kawardha,
(Chhattisgarh).
3. Raja Ram Sahu,
Son of Shri Sewa Ram Sahu,
Assistant Teacher,
Posted at Primary School, Dubha,
Tehsil and District Kawardha,
(Chhattisgarh).
4. Chhatrapal Puri Goshwami,
Son of Shri Kailash Puri Goshwami,
Assistant Teacher,
Posted at Primary School, Dubha,
Tehsil and District Kawardha,
(Chhattisgarh).

.. Applicants

Versus

Dinshu

1. State of Chhattisgarh,
Through Secretary,
School Education Department,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.).

2. Director,
Public Instructions,
Pension Bada, Raipur (C.G.)

3. Block Education Officer,
Kawardha, District Kawardha,
(Chhattisgarh)

.. Non - Applicants

APPLICATION UNDER SECTION 19 OF STATE ADMINISTRATIVE
TRIBUNAL ACT 1985

28

HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (s) No. 5119 of 2005

Petitioners : Tej Kumar Pandey & others

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Sachin Singh Rajput, Advocate on behalf of Shri Ramakant Mishra for the Petitioners.

Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(9th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.
2. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination

27

Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

3. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihri
Judge